

ASSEMBLY, No. 3168

STATE OF NEW JERSEY

210th LEGISLATURE

INTRODUCED JANUARY 14, 2003

Sponsored by:

Assemblywoman LORETTA WEINBERG

District 37 (Bergen)

Assemblyman PAUL SARLO

District 36 (Bergen, Essex and Passaic)

Assemblyman GARY L. GUEAR, SR.

District 14 (Mercer and Middlesex)

Assemblywoman LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

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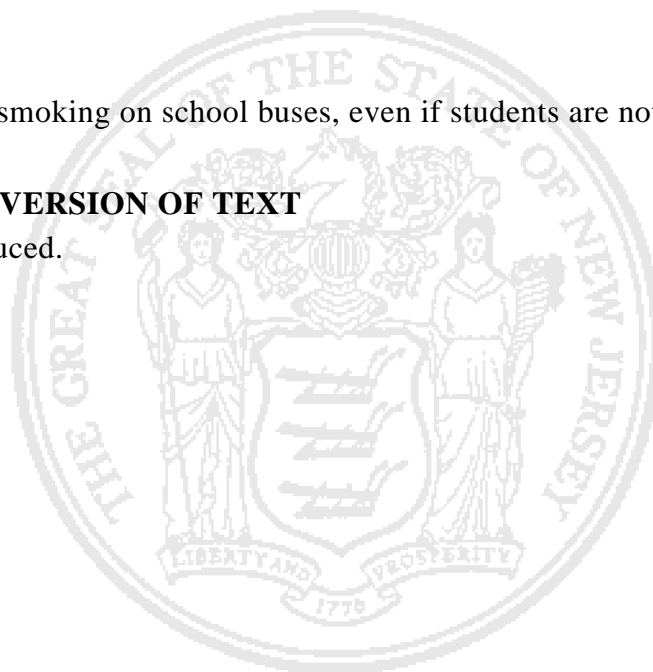
**Assemblymen Burzichelli, Eagler, Fisher, McKeon, R.Smith, Stanley, Van
Drew, Chivukula, Senators Vitale, Matheussen, Allen and Sacco**

SYNOPSIS

Prohibits smoking on school buses, even if students are not present.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/12/2003)

1 AN ACT prohibiting smoking on school buses and amending
2 N.J.S.2C:33-13.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. N.J.S.2C:33-13 is amended to read as follows:

8 2C:33-13. Smoking in Public. a. Any person who smokes or
9 carries lighted tobacco in or upon any bus or other public conveyance,
10 except group charter buses, specially marked railroad smoking cars,
11 limousines or livery services, and, when the driver is the only person
12 in the vehicle, autocabs, is a petty disorderly person. For the purposes
13 of this section, "bus" includes school buses and other vehicles owned
14 or contracted for by the governing body, board or individual of a
15 nonpublic school, a public or private college, university, or
16 professional training school, or a board of education of a school
17 district, that are used to transport students to and from school and
18 school-related activities; and the prohibition on smoking or carrying
19 lighted tobacco shall apply even if students are not present in the
20 vehicle.

21 b. Any person who smokes or carries lighted tobacco in any public
22 place, including but not limited to places of public accommodation,
23 where such smoking is prohibited by municipal ordinance under
24 authority of R.S.40:48-1 and 40:48-2 or by the owner or person
25 responsible for the operation of the public place, and when adequate
26 notice of such prohibition has been conspicuously posted, is guilty of
27 a petty disorderly persons offense. Notwithstanding the provisions of
28 2C:43-3, the maximum fine which can be imposed for violation of this
29 section is **[\$200.00]** \$200.

30 c. The provisions of this section shall supersede any other statute
31 and any rule or regulation adopted pursuant to law.
32 (cf: P.L.1985, c.187, s.1)

33

34 2. This act shall take effect immediately.

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STATEMENT

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39 This bill clarifies that the prohibition on smoking or carrying lighted
40 tobacco on a bus or other public conveyance pursuant to
41 N.J.S.A.2C:33-13 applies to school buses or other vehicles owned or
42 contracted for by a public or nonpublic school, college, university or
43 professional training school, that are used to transport students to and

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 from school and school-related activities, even if students are not
2 present in the vehicle.

3 Incidents have been reported of school bus drivers being permitted
4 to smoke in their vehicles when students are not present. The purpose
5 of this bill is to protect the children who ride these buses every school
6 day from the deleterious effects of second-hand smoke which,
7 according to numerous studies, poses a serious health hazard to those
8 who are exposed to it on a continual basis.